

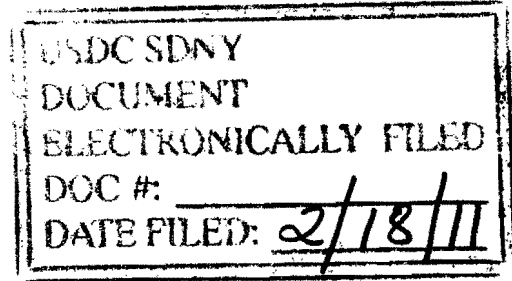
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JHON LATACELA, on behalf of himself and  
others similarly situated,

Plaintiff,

- against -

AARON COHEN and THOMPSON REST. INC.  
d/b/a/ DON GIOVANNI RISTORANTE,  
Defendant.



10 Civ. 4653 (RJH)

**MEMORANDUM OPINION AND**  
**ORDER**

The Court is in receipt of the parties' stipulation of voluntary dismissal. The parties have not disclosed the terms of the referenced settlement to the Court and, as such, the Court has been unable to scrutinize the terms of this settlement for fairness. *See Cortes v. Skytop Restaurant, Inc.*, 2010 WL 4910242 (S.D.N.Y. Nov. 17, 2010). The stipulation of dismiss is rejected without prejudice. The parties may resubmit the stipulation with the terms of the proposed settlement.

SO ORDERED.

Dated: New York, New York  
February 15, 2011

A handwritten signature in black ink, appearing to read "Richard J. Holwell".

Richard J. Holwell  
United States District Judge